

July 29, 2002

TO: Workers' Compensation Insurance Carriers  
And Self-Insurers Operating in the  
Commonwealth of Kentucky

FROM: \_\_\_\_\_  
Larry M. Greathouse  
Commissioner  
Kentucky Department of Workers' Claims

SUBJECT: **WORKERS' COMPENSATION BENEFIT SCHEDULE – 2003**

The Cabinet for Workforce Development has certified that the average weekly wage of Kentucky, for the calendar year 2001 was \$571.42. Based upon that information and in accordance with KRS 342.143, the following determinations are made:

1. The increase in maximum income benefits under all provisions of the Workers' Compensation Act for the year 2001 over the year 2000 did amount to \$2.00 or more; therefore, the maximum weekly indemnity benefits for calendar year 2003 shall be \$571.42.
2. There was an increase of \$1.00 or more in minimum income benefits; therefore, the minimum weekly indemnity benefits under all provisions of the Act shall be \$114.28 for calendar year 2003.

A schedule of indemnity benefits is attached hereto.

LMG:ob

## SCHEDULE OF WEEKLY WORKERS' COMPENSATION BENEFITS

TYPE OF DISABILITY SECTION OF STATUTE	FOR INJURIES OCCURRING					
	01-01-98 thru 12-31-98	01-01-99 thru 12-31-99	01-01-00 thru 12-31-00	01-01-01 thru 12-31-01	01-01-02 thru 12-31-02	01-01-03 thru 12-31-03
APPLICABLE AVERAGE WEEKLY WAGE OF THE STATE	\$465.36 (1996)	\$487.20 (1997)	\$509.03 (1998)	\$530.07 (1999)	\$550.66 (2000)	\$571.42 (2001)

### DEATH (KRS 342.750)

- a. Widow or widower with no children-50% of average weekly wage of deceased-subject to the following:

<b>MAXIMUM</b>	\$232.68	\$243.60	\$254.51	\$265.04	\$275.33	\$285.71
<b>MINIMUM</b>	93.07	97.44	101.81	106.01	110.13	114.28

- b. Widow or widower with children living in the home-45% of average weekly wage of deceased, plus 15% for each child--subject to the following:

<b>MAXIMUM</b>	349.02	365.40	381.77	397.55	413.00	428.57
<b>MINIMUM</b>	93.07	97.44	101.81	106.01	110.13	114.28

- c. Widow or widower with children **not** living in the home—40% of average weekly wage of deceased, plus 15% for each child--subject to the following:

<b>MAXIMUM</b>	349.02	365.40	381.77	397.55	413.00	428.57
<b>MINIMUM</b>	93.07	97.44	101.81	106.01	110.13	114.28

- d. One child, **no** widow or widower-50% of average weekly wage of deceased--subject to the following:

<b>MAXIMUM</b>	232.68	243.60	254.51	265.04	275.33	285.71
<b>MINIMUM</b>	93.07	97.44	101.81	106.01	110.13	114.28

- d(1) More than one child, **no** widow or widower-50% of average weekly wage of deceased for the first child with an additional 15% of average weekly wage of deceased for each additional child—subject to the following:

<b>MAXIMUM</b>	349.02	365.40	381.77	397.55	413.00	428.57
<b>MINIMUM</b>	93.07	97.44	101.81	106.01	110.13	114.28

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**TYPE OF DISABILITY  
SECTION OF STATUTE**

**FOR INJURIES OCCURRING**

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	<b>01-01-98</b> thru <b>12-31-98</b>	<b>01-01-99</b> thru <b>12-31-99</b>	<b>01-01-00</b> thru <b>12-31-00</b>	<b>01-01-01</b> thru <b>12-31-01</b>	<b>01-01-02</b> thru <b>12-31-02</b>	<b>01-01-03</b> thru <b>12-31-03</b>
e. Dependent parents - 25% of average weekly wage of deceased to each parent-- subject to the following:						
<b>MAXIMUM</b>	349.02	365.40	381.77	397.55	413.00	428.57
<b>MINIMUM</b>	93.07	97.44	101.81	106.01	110.13	114.28
f. Dependent brothers, sisters, grandparents and grandchildren- 25% of average weekly wage of deceased to each dependent-- subject to the following:						
<b>MAXIMUM</b>	349.02	365.40	381.77	397.55	413.00	428.57
<b>MINIMUM</b>	93.07	97.44	101.81	106.01	110.13	114.28

The above is subject to the maximum of 75% of the average weekly wage of the deceased.

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**LUMP SUM DEATH BENEFIT**

**INCREASE KRS 342.750(6)**

As amended effective July 14, 2000,  
in addition to all other benefits payable  
under this chapter, if death occurs  
within four (4) years of the injury, as a  
direct result of a work-related injury,  
a lump sum payment is to be made to  
the deceased's estate, subject to the  
following:

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**TEMPORARY AND PERMANENT**

**TOTAL KRS 342.730(1)(a)**

66 2/3% of average weekly wage of  
employee--subject to the following:

<b>MAXIMUM</b>	465.36	487.20	509.03	530.07	550.66	571.42
<b>MINIMUM</b>	93.07	97.44	101.81	106.01	110.13	114.28

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**RETRAINING INCENTIVE BENEFITS**

**KRS 342.732(1)(a)** 66 2/3% of average  
weekly wage of employee--subject to the  
following:

<b>MAXIMUM</b>	349.02	365.40	381.77	397.55	413.00	428.57
<b>MINIMUM</b>	NONE	NONE	NONE	NONE	NONE	NONE

TYPE OF DISABILITY SECTION OF STATUTE	FOR INJURIES OCCURRING					
	01-01-98	01-01-99	01-01-00	01-01-01	01-01-02	01-01-03
	thru 12-31-98	thru 12-31-99	thru 12-31-00	thru 12-31-01	thru 12-31-02	thru 12-31-03
<b>PERMANENT PARTIAL FOR INJURIES OCCURRING AFTER 12-11-96 KRS 342.730(1)(b), (1)(c)2,&amp;(1)(d)</b>						
99% of 66 2/3% of average weekly wage of employee subject to the following:						
<b>MAXIMUM</b>	349.02	365.40	381.77	397.55	413.00	428.57
<b>MINIMUM</b>	NONE	NONE	NONE	NONE	NONE	NONE
<b>PERMANENT PARTIAL FOR INJURIES OCCURRING AFTER 12-11-96 KRS 342.730 (1)(c)1,&amp;(1)(d)</b>						
When the employee does not retain physical capacity to return to type of work performed at time of injury -- 99% of 66 2/3% of average weekly wage of employee subject to the following:						
<b>MAXIMUM</b>	465.36	487.20	509.03	530.07	550.66	571.42
<b>MINIMUM</b>	NONE	NONE	NONE	NONE	NONE	NONE